

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in light of the following discussion is respectfully requested.

Claims 1-13 and 15-19 are pending in this application. Claims 1-13 and 15 are amended, Claims 16-19 are added, and Claim 14 is canceled, without prejudice or disclaimer, by the present amendment.

Amendments to the claims and new claims find support in the application as originally filed and in the specification at least at page 25, line 22 to page 26, line 11, and page 30, lines 3-19. Thus, no new matter is added.

In the outstanding Office Action, Claim 14 was rejected under 35 U.S.C. § 101; Claims 1-10 and 12-15 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Publication 2002/0062250 to Nagano et al. (herein "Nagano"); and Claim 11 was rejected under 35 U.S.C. § 103(a) as unpatentable over Nagano in view of U.S. Publication 2004/0221018 to Ji.

Initially, Applicants and Applicants' representatives gratefully acknowledge the courtesy of a personal interview with Examiner Mittal and Supervisory Patent Examiner Myhre on October 23, 2008. During the interview, rejections in the Office Action were discussed, as well as differences between the references and the claimed inventions. Comments discussed during the interview are reiterated below.

Regarding the rejection of Claim 14 under 35 U.S.C. § 101, Claim 14 is canceled without prejudice or disclaimer. Therefore, Applicants request the rejection under 35 U.S.C. § 101 be withdrawn.

In addition, Applicants respectfully traverse the rejection of Claims 1-10 and 12-15 under 35 U.S.C. § 102(b) as anticipated by Nagano, with respect to amended independent Claims 1, 12, 13, and 15.

Independent Claim 1 is directed to a content information processing apparatus. The apparatus includes, in part, first storage means for storing first content information of content to be screened for a user at a real place and content supplier information regarding a content supplier that supplies the content for screening at the real place. The terminal of the user is configured to allow the user to view the content. Further, the apparatus includes viewing information processing means for specifying second content information of the content distributed to the terminal of the user, and viewing history storage means for storing viewing history information of the content distributed to the terminal of the user.

In addition, the apparatus includes incentive means for extracting the second content information of the content distributed to the terminal of the user from the viewing history information, and calculating a payment to the content supplier based on the viewing history information including the second content information of the content distributed to the terminal of the user and the first content information of the content to be screened for the user at the real place. Independent Claims 12, 13, 15, and 16 include similar features directed to different classes and scopes of the invention.

As discussed in the interview, the references in the Office Action fail to teach or suggest each of the features of the amended independent claims. For example, Nagano fails to disclose calculating a payment to content supplier that supplies content for screening at a real place, for example a movie theater that screens the content, based on content information regarding content distributed to a terminal of the user that is configured to allow the user to view the content.

Nagano describes a method whereby an advertisement administration firm can send advertisement information provided by a commercial sponsor to a user of a receiver terminal

150.¹ According to Nagano, “the history of played advertisement stored in the receiver terminal 150 is sent to the advertisement administration firm 112.”² Based on this information, “[an] advertisement charge paid by the sponsor is calculate[d], and a bill is sent to the sponsor.”³ In other words, according to Nagano, the advertisement administration firm calculates a bill to charge the provider of the advertisement content that is stored in a receiver terminal, and Nagano is silent regarding advertisement content that is screened at a real place such as a movie theater. Further, Nagano is silent regarding calculating a payment to a content supplier that supplies content to be screened at the real place that screens the content based on viewing history information of content distributed to the terminal of a user. Therefore, Applicants respectfully submit that Nagano fails to disclose “calculating a payment to the content supplier that supplies the content for screening at the real place based on the viewing history information including the second content information of the content distributed to the terminal of the user and the first content information of the content to be screened for the user at the real place,” as recited by independent Claim 1, and as similarly recited by independent Claims 12, 13, and 15.

Therefore, Applicants respectfully submit that independent Claims 1, 12, 13, and 15, and claims depending therefrom, patentably define over Nagano. Accordingly, it is respectfully requested that the rejection of Claims 1-10 and 12-15 under 35 U.S.C. § 102(b) as anticipated by Nagano be withdrawn.

In addition, Applicants respectfully traverse the rejection of Claim 11 under 35 U.S.C. § 103(a) as unpatentable over Nagano in view of Ji, with respect to amended independent Claim 1.

¹ Nagano at paragraph [0035] and paragraph [0037].

² Nagano at paragraph [0047].

³ Nagano at paragraph [0048].

Claim 11 depends from independent Claim 1, which as discussed above, is believed to patentably define over Nagano. Further, Applicants respectfully submit that Ji fails to teach or suggest the claimed features lacking in the disclosure of Nagano. Therefore, it is respectfully requested that the rejection of Claim 11 also be withdrawn.

Accordingly, Applicants respectfully submit that independent Claims 1, 12, 13, 15, and 16, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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